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Genocide is the tip of the iceberg: Reviewing the Guatemalan case

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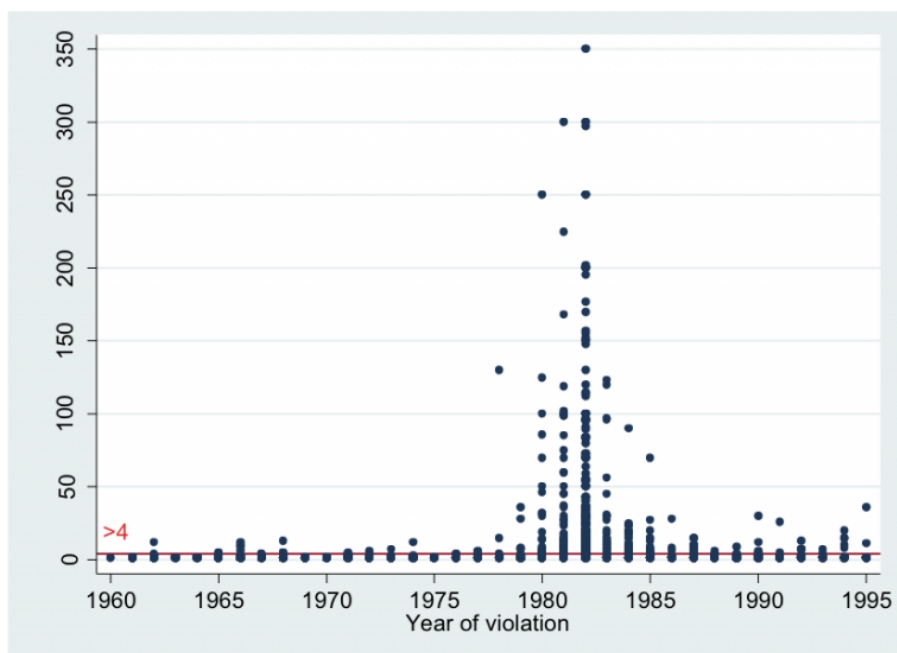
By Diego Alburez-Gutiérrez*

In 2013 the former Guatemalan dictator Efraín Ríos-Montt was tried in a national court for genocide and crimes against humanity. He was found guilty and sent to prison, but [the verdict was quickly overturned](#) on technical grounds. Local reactions to these events were varied, since the Mayan genocide is one of the most controversial issues for Guatemalan society today. In this article, I draw on the Ríos-Montt case to discuss the Mayan genocide not as an isolated event, but only as the momentary surfacing of a set of institutional arrangements that also explain the astonishing inequality that prevails in this Central American country.

The background

There are around 17 million people in Guatemala, half of whom are of mixed Hispanic ascent while the rest belong to one of the 23 Mayan indigenous groups. The [Guatemalan civil war](#) (1960-1996) left approximately 200,000 civilian casualties; 83% were indigenous Mayan. The conflict reached its peak towards the end of the 1970s, when the Marxist guerrillas gained strength and popular support following the Sandinista victory in neighbouring Nicaragua.

Ríos-Montt was de-facto president from 1982 to 1983 and [established the most brutal government of the civil war](#). In a short period, his government formalised a counterinsurgent strategy that eventually led to the downfall of the guerrilla movement. The new military approach combined scorched-earth policies with psychological warfare to isolate the fighting guerrillas from their supporters in rural areas. The beginning of the 1980s was the civil war's most violent period (measured both in terms of the absolute number of civilian casualties and the magnitude of the mass killing events), since entire villages were burnt down and their inhabitants murdered in an effort to [drain the water and let the fish die](#).



Number of victims per violent event. Observations above the red line are mass killings (i.e. four or more victims per event). Data was obtained from a convenience sample.

Source: Author, with data from the AAAS/CIIDH (1999) database.

The setting of a genocide

What makes genocide 'the crime of crimes'? Technically, it's not the scale of the event. Article 2 of the [Convention for the Prevention and Punishment of the Crime of Genocide](#) of 1948, and Article 6 of the [Rome Statute of the International Criminal Court](#) provide the legal definition of genocide. These treaties do not specify any kind of threshold over which an event should

be considered genocidal. As a matter of fact, the essential element of genocide is *intent* – the motivation to kill or otherwise harm individuals because of their belonging to ‘a national, ethnical, racial or religious group’, as a means of destroying the group in part or as a whole.

It is important, then, to understand the origins of this intent when talking about the Guatemalan case. Was it a spontaneous phenomenon? Or was it the outcome of long historical processes? Answering these questions is complicated by the fact that genocide is a huge endeavour, which makes it difficult to attribute sole responsibility to any individual person. Genocide is never the achievement of a lonely madman. In fact, the Guatemalan genocide required institutional support and close coordination between the military, militias, national administrative systems, and more. How or why genocide happens is not fully understood, but [it is believed](#) that social institutions play a central role in its development; hence, a focus on institutions is particularly useful for understanding the Guatemalan events.

In Guatemala, the idea of a genocide against the indigenous population was not born in Ríos-Montt's head, nor in the heads of any of his military predecessors. This idea has been there since the Spanish conquistadors established the blueprints of the country's economy and modern state. As a result, the national institutions have systematically excluded the indigenous populations, as shown by the [unequal investment in health and education](#) for indigenous areas. Current income inequalities are a consequence and a sad reminder of this. In 2014, the World Bank's [Living Standards Measurement Survey](#) showed that 80% of the Mayan population are poor (in contrast, ‘only’ 50% of the non-Mayans are poor). And this gap has been widening over the past ten years. In Mayan regions, healthcare, justice and many other services are often provided by traditional means. However, these indigenous institutions have also been weakened by the Guatemalan nationalist project. Since the country's independence from Spain in 1821, [various state policies](#) have aimed at homogenising the population with the hope of achieving an ideal of ‘one country, one people’.

In this context, not only did state institutions evolve in a way that did not work to prevent a genocide, but also they nurtured its potentiality by developing unevenly – like a two-legged stool, providing for some, but not for others. Since the national institutions were never intended to protect the indigenous populations, they obviously failed to do so during the civil war. There were simply fewer obstacles on the road that led to the extermination of the Mayan populations. Furthermore, it is possible that even repressive measures like press censorship were ethnically biased. My ground-level research shows that, throughout the civil war, violence against indigenous communities was considerably less likely to make it into the news. A violent event in a non-indigenous area had a 50% chance of being reported in the newspapers. By contrast, if the event took place in an indigenous area, the probability was only 5%.

As a final point, the previous discussion is not meant to excuse the military men who were in charge at the time, but seeks to highlight the necessity of a historical reflection on the institutional setting that facilitated the genocide. If the leaders had the power to prevent or stop the genocide and failed to do so, then they are guilty by definition. But it is important to note that it was not enough for them to *want the genocide to happen*. Everything needed to be set up in such a way that it *could happen*. This is why the current discussion on the Guatemalan genocide concerns much more than the imprisonment of a handful of ex-military. It is imperative that the Guatemalan justice system proves that it can find responsibilities for the historic atrocities. However, from an institutional standpoint, it would be good if the trials took place along with the necessary measures to prevent the historical inequalities and exclusion of indigenous communities from being further reproduced. In this sense, it is encouraging that young people are starting to realise that [they can join the national discussion](#) without fearing the state repression that affected their parents' generation. As members of the post-war generations become more politically engaged, there are reasons for optimism.

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